

## THE HAWAIIAN GAZETTE

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THE ADVERTISER'S SEMI-WEEKLY

## Lusitania Case Recalled

THE sinking of the Italian liner Ancona, under circumstances and with losses that have recalled the sinking last spring of the Lusitania, has reminded many Americans of the fact that the Lusitania case today is exactly where it was on the morning the President indited his first protest to Germany. The destruction of the Arabic has been disavowed and assurances given to Washington that hereafter passenger liners will not be attacked unwarmed, but nothing whatever has been done in regard to the protests and demands for reparation over the Lusitania.

A week or two before the Ancona was sunk, the Germans themselves redirected attention to the Lusitania case through the publication of the views of twenty-one prominent German authorities on international law, each justifying the sinking of the Lusitania on legal grounds. The opinions have been issued in one volume and hailed as the consensus of German opinion.

As representative of all twenty-one, the Koelnische Zeitung selects for publication and approving comment the opinion of Prof. Max Fleischman of the University of Koenigsberg, who has written a comprehensive but concise introduction to the book, and extracts from the opinion of Dr. Karl Strupp of Frankfurt-on-the-Main.

Doctor Strupp begins by quotations from naval orders in the war of 1812, issued respectively to Lieutenant Allan of the American ship Argus, and to Captain Stewart, the first advising of the advantage of attacking the enemy's commerce, and the second directing the sinking of English vessels when there is any risk of their being rescued while en route to a port as prizes.

"It cannot be expressed more clearly," says Doctor Strupp, "that the North American government orders the destruction of enemy ships when they cannot be safely brought to a friendly port."

He then asks the question whether it is the duty of a war vessel to save the passengers and crew of an enemy ship, admitting in doing so that existing rules of international law apply to submarines. He declares they are to be regarded as suspended when military necessity, or even when serious need, arises.

The commander of a vessel, he says, must weigh the circumstances, and did in the Lusitania case, and decided rightly that such need did exist for his little ship before the giant vessel of 40,000 tons, "which might at any time ram him, and which probably had concealed cannon on board, and perhaps even Canadian auxiliary troops."

"Above all," says Doctor Strupp, "it is settled that the Lusitania was an auxiliary cruiser, subsidized by the English government and carried as such in the English lists, which as a natural consequence meant that she was no longer a merchant vessel, but was to be regarded and treated as a vessel of war."

The submarine commander, continues Doctor Strupp, did not have to wait until his danger became acute. In case the destruction of the Lusitania was justified, he was under no necessity to take heed of the presence of non-combatants, not even of neutrals. Whether two or 1500 were involved is not a question of law, but purely one of quantity. The number plays a roll only from a humanitarian, not from a judicial standpoint.

The American contention that the commander should have warned the Lusitania Doctor Strupp characterizes as "wholly devious." In support of his contention he again quotes from American precedent and reproduces an order of Secretary of State Bayard of January 6, 1888, reading:

"It is the duty of foreigners to withdraw from such risks and if they do not do so or if they voluntarily expose themselves to such risk they must take the consequences."

Likewise the author also denies that any indemnity should be paid for lives or property lost on the Lusitania, and cites a prize court finding in the Franco-German war. A French court ruled that English, then neutral owners of cargoes that had been sunk in German ships could not collect damages. He also quotes the English authority on international law, Hall, who says that neutral owners of cargoes destroyed by acts of war have no valid claim for damages.

In addition to the opinions of the twenty-one professors, which take up ninety-three pages, the new book contains, for future reference, the announcement of the German admiralty of February 4, the American note of February 12, the German answer of February 16 and the note exchange following the Lusitania incident.

## 'We' and 'They'

IN the smaller towns and country districts people say "we," when they speak of governmental activity. "We" built the courthouse and got it done at low cost. "We" organized the high school. "We" pay the expenses of keeping prisoners in the jail.

In the big cities people say "they." "Why don't they" do this and so? People wonder when the city government falls down. It isn't a personal matter with them. The government isn't their government. It belongs to somebody else.

There is a world of difference in the two attitudes, declares the Kansas City Star. When the people of the cities get to saying "we" about their cities and counties then they are going to clean house and take possession.

## Chances For Peace

THE question of the restoration of peace in Europe is one in which the whole world is vitally interested and the despatches from Bern yesterday that the Kaiser will make an open offer of peace "after a state entry into Constantinople," coupled with the suggestion from Henry Ford, following a conference with the President, that Christmas would be a good time for a peace conference, give added point to the declarations from leading British statesmen and publicists regarding a possible peace in the near future.

Ten days ago, when the various despatches from Berlin and Vienna, directly and indirectly, began to hint at possible peace conversations, the British leaders of public opinion made frank statements. Only one leader quoted, Sir Hiram Maxim, believed that the time is at all opportune for peace proposals, and he based his contention on the fact that as Germany and Austria were so nearly exhausted as to be unable to pay anything toward the Allies' war expenses no good object is left to further exhaust them.

The statements made for cabling to the United States are:

Sir Edward Grey—I can add nothing to what was recently said in Parliament by Mr. Lloyd George. We should not think of entering into any peace negotiations except in common with our allies and in accordance with the agreement of September 5, 1914. This has always been made perfectly clear.

Sir Edward Carson—If there has been any report current abroad that even inconclusive peace would be welcome at the present moment, I can only say that any statesman in this country who would find it impossible even to hold up his head again among his fellow-countrymen, for merely at home, but throughout the British Empire, "inconclusive peace." The very words would stink in the nostrils of all honest men.

H. G. Wells: "What fooling is this? Nobody in England has the remotest disposition to make peace until Germany is beaten."

Sir Arthur Conan Doyle: "I have heard no such report as to a premature peace and if there has ever been one, it is certainly of German origin. Such a thought is inconceivable to any Briton. The war will certainly go on until each of the objects defined by the Prime Minister has been obtained. To the freeing of the French provinces and Belgium, the clearing of Russia and Serbia and the curbing of Prussian militarism, is to be added the punishment of all murderers and criminals, however high placed."

Sir Hiram Maxim—"I am in a position to meet a good many prominent personages and read many newspapers, and I am very strongly of opinion that all the nations in this war would be very glad to get out of it. The Germans expected a walk-over. They expected to be in Paris inside ten days, but more than 400 days have passed and they are not there yet and there is very little prospect that they will ever get there. Germany has struck her blow and so far as the government is concerned it has been a failure. I think the Germans would be very glad if they could discover some way of stopping the war. If they can not stop it by mid-winter they will be at the end of their tether."

"The Austrians are in practically the same condition, but not quite so bad. I do not think, however, that the Austrians would consent to any terms of peace that would deprive them of any of their territory. It is quite possible, however, that all the nations engaged would be glad to get out of it, providing they could do so without paying an indemnity to each other, that is, if each nation could foot its own bills without insisting on any penalties from others."

"I think it is quite certain that Germany stands very little chance of winning, and if she is beaten the Allies will have very little chance of receiving anything from her, because it is quite impossible for the Germans to pay for the trouble they have caused, and the very fact that they can not pay ought to have a strong influence on France and Britain to bring the war to a close as early as possible."

Commenting on earlier statements along identical lines, made by Premier Asquith before the British commons and Premier Briand before the French deputies, Vorwarts, the leading Socialist paper of Berlin, on November 6, said:

It is obvious that France and England are more resolute than ever in their determination to carry the war through to a successful close. So is the German chancellor. But neither Asquith nor Briand nor Van Bethmann-Hollweg is willing to state what he calls "a successful close." It is impossible to continue the war indefinitely. New theaters of war are being covered with soldiers merely because the warring nations refuse to state their actual aims. Some people declare Germany must fight until her enemies sue for peace, but these enemies do not feel themselves worsted and no real result is likely for a long time. Public discussion about the actual aims of the war should and must be opened and the governments must uncover their purposes. Then only can we hope the situation will be made clearer and peace brought nearer.

Congress convenes on December 6, and there is much of importance to Hawaii to be taken up. Kuhio cannot possibly reach his post of duty now in time for the opening days. He was booked on the Matsonia and didn't go. He stated that he would wait for the Lurline, which sailed yesterday without the Delegate aboard. We are keeping track. Two!

## The Useful Bat

PERIODICALLY the suggestion of importing and acclimatizing bats in the islands as mosquito destroyers is advanced, and now, following the rains and the reappearance in several parts of the city of the pesky stingers, appears to be a good time to suggest it again. If there be any good reason why bats should not be brought here, it has escaped our notice. The following, from a recent mainland publication, offers some suggestions which appear worth consideration. The article says:

We hear a great deal from time to time about the value of birds as destroyers of insects, but until recently it seems not to have occurred to any one that the familiar bat should be given recognition in the same connection. Yet of course everyone is aware that the bat lives on insects; and it requires but a moment's thought to convince one that the insects in question are probably not of a character to be useful to man. In point of fact, it has been found that in certain regions the bat feeds very largely on mosquitoes.

As it is now well known that the mosquito is the exclusive carrier of malaria, and that it probably on occasion transmits the germs of other diseases as well, it is obvious that any creature that is an enemy to the mosquito is a friend of man.

The first person, seemingly, to make practical application of this line of reasoning is Dr. C. A. Campbell, of San Antonio, Texas. He began by demonstrating that a single bat may consume as many as 200 mosquitoes in one night. He ended by having an official bat roost constructed at San Antonio, capable of housing 250,000 of these animals.

The cost of constructing such a bat roost as that erected at San Antonio is comparatively slight, and it appears that the outlay may, soon be repaid not merely in public health but in tangible money, inasmuch as the bats produce guano of high fertilizing value at such a rate that a single roost, housing 250,000 of the animals, is expected to produce twelve tons, valued at \$480, in a season of nine months.

The idea of having the pestiferous mosquito consumed by friendly bats and its remains returned into valuable guano is certainly attractive. Of course a scheme planned to eliminate the mosquito altogether by abolishing its breeding places would be even more attractive, but it is not always practicable. In all regions where there are parks of marshes that cannot be drained, or economically treated with kerosene to destroy the larval mosquito, let us, by all means, have official and carefully guarded bat roosts.

In justice to Sheriff Rose it should be pointed out that as yet there has been no intimation that a swipes joint is running in the county jail, while up to the present there have been no allegations made concerning counterfeiting. As a matter of fact, nothing has been brought out to the discredit of the Rose police administration except that the jail ran a gambling game, turned the hospital over for a free booze joint, provided a private door for visiting prostitutes and was used as a cache for smuggled opium until it could be sold. That's all. No pilikia.

STEVENSON FAILS  
TO ENTER A PLEA

**Alleged Schuman Company Embezzler Secures Liberty On Bond of \$250**

In the police court yesterday afternoon, Frank L. Stevenson appeared to plead to a charge of embezzling \$67, the property of the Schuman Carriage Company. Defendant reserved his plea until tomorrow morning and was released on \$250 bond.

Stevenson was arrested on Tuesday morning, shortly after the arrival of the steamer Wilhelmina, and was accused of having embezzled \$600, the property of the company by which he was employed as foreman and collector.

Stevenson said yesterday that he had thought the matter would have been settled out of court, until he was called before Judge Monsarrat to plead. He further expressed his intention of making good the shortage and leaving the Territory.

Prosecuting Attorney Chillingworth said that on account of defendant being a sick man he would not press for a heavy sentence, but that even though repatriation be made to the Schuman Carriage Company, the charge will not be dropped.

Yesterday morning Mrs. Stevenson and her sister were visitors at police headquarters, and in the afternoon conferred with Judge Monsarrat.

MAKINO SAYS ROSE  
IS LIVING WONDER

"I see that Sheriff Rose blames me now for the fact that one of his noble police officers tried to graft a razor from a hotel street barber shop," says Fred Makino, owner of the Hawaii Hochi.

"Of course, if the sheriff says that I'm responsible, I guess I am. I only hope that he doesn't also find out that I'm responsible for the loss of the F-4 or the taking of the tariff off sugar."

The afternoon paper is in error in supposing that it was Officer Gunderson who was the hero of the barber shop tale. It is Officer Richardson.

It is a surprise to me that the sheriff, who has such an unerring way of placing the responsibility on me for so much cannot place some of the responsibility for the hundred or so burglaries committed in the city of late, or why he cannot locate a few of the big che-fa games, which every newboy in town knows all about, or why he can not do any of the things he is paid to do. If he thought less about inventing schemes and more about doing his duty the city would be better off."

John A. Dix, former Democratic governor of New York, accompanied by his wife, is expected to arrive here some time during the coming month for a long stay at the Moana Hotel.

## Old As the Race

THE idea is prevalent in the United States that our Thanksgiving is peculiarly an American custom of New England origin. This is true in part only. The general observance through many years of a set day on which to give thanks to Almighty God for his blessings has made the custom distinctively American; but its origin long antedates the settlement of the western continent, and we must look elsewhere for it. The idea of Thanksgiving day goes back to remotest antiquity. It is a part of natural religion, and is probably as old as the human race. In written records, we have ample evidence that the festival was celebrated in connection with "the fruits of the earth" by the ancient Egyptians, the Jews, the Greeks and the Romans. Long before Luther's revolt from Rome in the sixteenth century it had been observed by the Christians; and after the Reformation, Thanksgiving days were in frequent use by the Protestants, especially those of England.

The festival appears early in Jewish history, and, as it was connected with the land and its possession, may have had a Canaanitish prototype. Its celebration was annual, and each festival continued through seven days. At the beginning "two vessels of silver were carried in a ceremonious manner to the temple, one full of water, the other of wine, which were poured at the foot of the altar of burnt offerings, always on the seventh day of the festival." Plutarch describes this ceremonial, which he believed was a feast of Bacchus. He says: "The Jews celebrate two feasts of Bacchus. In the midst of the vintage they spread tables, spread with all manner of fruits, and live in tabernacles made especially of palms and ivy together. \* \* \* A few days later they kept another festival which was openly dedicated to Bacchus, for they carried boughs of palms in their hands, with which they went into the temple, the Levites going before with instruments of music."

Analogous to the Jewish festival and possibly borrowed from it was that of the old Greeks, the Thesmophoria. This was a feast to Demeter, the goddess of the harvest. It lasted nine days and consisted of sacrifices of the products of the soil with oblations of "wine, milk and honey." Theocritus refers to it in the "Seventh Idyll," where Simichidas says: "Now, this is our way to the Thalsia; for our friends, in sooth, are making a feast to Demeter of the beautiful robe, offering the first fruits of their abundance, since for them in bounteous manner, the goddess has piled the threshing floor with barley."

FILIPINO TRAMP  
RIO PASIG SUFFERS  
IN FIERCE TYPHOON

**After a Voyage of Dire Peril Storm Beaten Steamer Calls For Coal**

Weather-beaten and short of coal, the Filipino tramp steamer Rio Pasig, Capt. Arlante, of Manila, came to port yesterday morning. She came from Shanghai and is bound for San Pedro and San Francisco with 4000 tons of general cargo.

The vessel ran into a typhoon on the night of November 12, and for twenty-four hours bore the stress of the storm. Until four o'clock of the morning of November 13, the steamer was practically at the mercy of mountainous seas which buried everything "below the bridge every few minutes."

Docked at Pier 7, the Rio Pasig is taking on 250 tons of bunker coal. Captain Arlante stated yesterday that the typhoon was the worst that he has ever experienced and that several times it looked as if the ship would founder. The vessel at one time rolled to an angle of thirty-two degrees, and the wind when the blow was at its worst, registered eighty-four miles an hour on the Beaufort scale.

The coal taken on at Shanghai was of such poor quality that instead of burning twenty-four hours as is the case with good coal, the tramp ate up from thirty to thirty-three in order that steam might be kept up. This accounted for a shortage of fuel which compelled the steamer to put in here for bunkers.

The crew of the Rio Pasig are all Filipinos. The steamer is getting a freight rate of eleven dollars a ton for her cargo, from Shanghai to San Francisco. The cargo includes tea, wool, ore, and various Oriental merchandise.

During February the Rio Pasig called here en route from Manila, her home port, to Seattle, being short of coal on that occasion as well. She has been used in the inter-island trade in the Philippines, but flatterer charters have resulted in her being placed on the transpacific run.

The steamer will probably get away for San Pedro this afternoon. She was built in Stockton, England, and is 1947 tons net and 3284 gross tonnage.

October 13 was the date of the departure of the Rio Pasig from Manila for Shanghai to load cargo. She sailed from Shanghai for San Pedro, October 31.

WELL KNOWN GENTLEMEN  
MIX IT IN KING STREET

**Frank Levy and Jackie Bohnestein Give Slugging Exhibition**

Oh! Oh! Oh! Such a do! Frank Levy, the well known clothier, and Jackie Bohnestein, the local pawn broker, mixed up in King street last night, and for a time set the law with a vengeance.

Along about eight o'clock Bohnestein and a companion walking along the street, passed Frank Levy and the two men instantly went to it.

The combat was preceded by a remark by Bohnestein that Levy was a cheap pickpocket. Levy retorted that Bohnestein was a cradle robber and a number of other uncomplimentary things.

Bohnestein then asked Levy if he wanted a blue eye, and the latter, remarking that blue was his favorite color, swung on the pawn broker with precision and force.

Bohnestein is the heavier man, but Levy used to be a feather weight boxer of distinction and has had the gloves on with several of the best men of his weight that the country has produced.

For some minutes the fray waged vigorously but without courtesy. When one of the belligerents was knocked down the other would help to get him on his feet before again essaying an uppercut.

Honors were about even when some passersby distracted the attention of the combatants by dropping a dollar on the sidewalk and then jumping in and grabbing it before either could reach it.

"Oh, what's the use?" exclaimed Messrs. Levy and Bohnestein, in unison, as they went their several ways.

POST'S DAUGHTER GETS  
MILLIONS, DEFEATING  
HER STEPMOTHER

DETROIT, November 13.—A report from Battle Creek, Michigan, says that Mrs. Edward Close, of Greenwich, Connecticut, daughter of the late C. W. Post by his first wife, has succeeded in defeating the will of the breakfast food manufacturer, who committed suicide a year and a half ago, leaving his \$15,000,000 estate to his second wife.

It is reported that the legal contest was effected through the production of court records made at the time Post went through bankruptcy proceedings, Post having declared that the Postum Cereal Company was founded and built up out of a small fund of \$750 which had been saved up by the original Mrs. Post and placed to the credit of their daughter Marjorie. As part of the same testimony, it is a matter of record that Mr. Post swore the company was the property of Marjorie, and that he, C. W. Post, was her agent. This has never been corrected, according to the record, and Mrs. Close will become the sole owner of the Postum Company.

WALDRON WANTS  
BOARD TO HELP  
GREAT NORTHERN

**Owners Might Take Offense If Charge Be Made For Cargo Space**

**QUESTION TO BE SETTLED ON NEXT MONDAY NIGHT**

**Harbormaster Foster Reports Rains Caused Filling of Pier Slips With Mud**

Fred L. Waldron, representing the Great Northern Pacific Steamship Company, which owns the steamer Great Northern, appeared before the harbor board at its meeting yesterday to make arrangements for the reservation of floor space on one of the local piers for the cargo to be landed and taken on here by that vessel, which will arrive in Honolulu on Friday, December 3.

There was considerable discussion between members of the board and Mr. Waldron as to the rate to be charged by the harbor commissioners for the use of the space required. It was pointed out to Mr. Waldron that the Matson Navigation Company had space reserved for itself on some piers, for which it paid the board \$200 a month per 1000 square feet of floor surface, whether it used the pier space or not.

Mr. Waldron said he did not know yet how much space the Great Northern would require for its local freight, but he wanted to have an understanding with the commissioners whether or not a rate would be fixed and charged for such case. The vessel might not need any space at all on the first trip, he said.

**Asks Board to Help**

There was a spirited verbal duel when Mr. Waldron said that he thought the board should do all in its power to assist the vessel and securing its continued service on the run, even to the extent of not charging anything for pier cargo space. The Great Northern was the only real passenger vessel to go on the local run with San Francisco and other points, he claimed. He did not wish it inferred that he said aught against the Matson vessels, he went on further to explain. The Matsonia, he urged, was the nearest approach the Matson people had to a passenger vessel, and, then, at that, the Matsonia was not, but the rest remained unsaid.

Colonel McCarthy and others hastened to assure Mr. Waldron that they were desirous of seeing the Great Northern on the run; they believed she would be a magnificent acquisition to the local merchant marine service.

"We cannot, however, treat your people different from others—the Matson Navigation Company, for instance," Mr. McCarthy told Mr. Waldron. "As government officials we are in duty bound to treat all alike, yet, considering that the Great Northern will require cargo space on our piers only three days on each trip, we may be able to agree on a special rate. Personally, as a private citizen, I might think, as I feel, otherwise."

**Great Northern Would Take Offense**  
Mr. Waldron said he felt that his people, the owners of the vessel, would take offense if any rate was charged them by the board for the use of floor space for the cargo of the Great Northern. The matter would never finally, to half past seven o'clock next Monday night, when the board will hold a special meeting and decide the question.

The board was advised by Harbormaster William R. Foster that the late rainstorms resulted in the deposit of considerable mud between a number of piers in Honolulu harbor.

"I desire to report," said the harbor-master, "that the heavy floods from the Nuuanu stream have deposited quite a lot of mud in the slip between Piers No. 15 and No. 16, and in the slip between Piers No. 16 and No. 17."

"I have not been able to make a careful survey of the slip yet, but will do so at the earliest opportunity, but the shoal between Piers Nos. 16 and 17 was clearly demonstrated last Thursday while docking the Kiyo Maru at Pier No. 16, as we were unable to get her alongside."

The matter was referred to the board, where the usual depth in that slip was thirty feet.

**Storm Hurt Pier Slips**  
"The water is also shoaling quickly alongside of Pier No. 10, where in spots there is only 23.5 feet of water."

"This, needs attending to as quickly as possible, as we quite frequently use Pier No. 10 for ships of deep draught, and I understand the contract for dredging the harbor line is already awarded to the Hawaiian Dredging Company, and part of the work has already been done. I feel that the United States engineers would probably help this matter along."

In a letter to the board the Governor said that, "having personally inspected this forenoon Pier No. 16 and being convinced that it is impossible to sufficiently specify the details of repairs for contract, I authorize the board to proceed with the work without advertising for tenders."

In another letter Governor Pinkham took occasion to commend the harbor commissioners for their work during the past year.

"Your report," said the Governor, "dated June 30, relative to the operations of your board for the fiscal year ending June 30, 1915, received and carefully noted. The work so well done and the work so projected for the future is greatly to the credit of the board and the future of our harbors."